



SIGNED THIS 22nd day of December, 2020

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**



Rebecca B. Connelly
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

**In re:
ROBERT E. CURRIER, JR.,
Debtor.**

**Chapter 7
Case No. 20-61587**

ORDER DISMISSING CASE

On December 7, 2020, Robert E. Currier, Jr. filed a voluntary chapter 7 petition *pro se*. ECF Doc. No. 1. Because the case was filed without a certification that Mr. Currier received an approved credit counseling briefing during the 180-day period ending on the filing date, or a certification of exigent circumstances, the Court entered a deficiency order on December 8, 2020. *See* ECF Doc. No. 5. On December 21, 2020, Mr. Currier filed a Certificate of Counseling that he received the credit counseling briefing on December 21, 2020, a date after the filing of the petition and not in the 180-day period ending on the filing date as required by the Bankruptcy Code. *See* ECF Doc. No. 18.

To proceed as a debtor in this Court, an individual must complete the credit counseling briefing within the 180-day period ending on the date of the filing of the petition. An individual may not be a debtor under the Bankruptcy Code “unless such individual has, during the 180-day period ending on the date of filing of the petition by such individual, received from an approved

nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing . . . that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.” 11 U.S.C. § 109(h)(1). This Court does not have discretion to waive the credit counseling *pre-filing* requirement unless the circumstances fall within one of the statutory exceptions, none of which have been asserted.

Because Mr. Currier did not file a certification of pre-petition credit counseling briefing and did not file a certification of exigent circumstances, Mr. Currier is ineligible to be a debtor and the Court must dismiss his case.

Accordingly, it is

ORDERED

that that the above case is **DISMISSED**.

Copies of this order are directed to be sent to the debtor, the chapter 7 trustee, and the Office of the United States Trustee.

End of Order

United States Bankruptcy Court
Western District of VirginiaIn re:
Robert E. Currier, Jr.
Debtor(s)Case No. 20-61587-rbc
Chapter 7**CERTIFICATE OF NOTICE**District/off: 0423-6
Date Rcvd: Dec 22, 2020User: admin
Form ID: pdf003Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 24, 2020:

Recip ID	Recipient Name and Address
db	+ Robert E. Currier, Jr., 13064 Newbys Shop Road, Remington, VA 22734-1851

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 24, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 22, 2020 at the address(es) listed below:

Name	Email Address
USTrustee	USTPRegion04.RN.ECF@usdoj.gov
W Stephen Scott(80)	wsscott7trustee@earthlink.net VA01@ecfbis.com

TOTAL: 2